

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Gary L. Gastineau

Serial No.: 09/815,589

Confirmation No.: 7446

Filed: March 23, 2001

For: EXCHANGE TRADING OF MUTUAL
FUNDS OR OTHER PORTFOLIO
BASKET PRODUCTS

Examiner: Hani M. Kazimi

Group Art Unit: 3691

Attorney Docket No.: 00322.0007.CNUSO1

PETITION TO EXPUNGE DOCUMENTS UNDER
37 CFR 1.59 (B) AND MPEP 724.05

Mail Stop **Petition**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22315-1450

Dear Sir:

Pursuant to 37 C.F.R. § 1.59(b) applicant petitions to expunge the documents electronically filed in the above application on May 1, 2008. A copy of the electronic receipt is attached as reference, and the document indicated as being filed was indicated as an IDS with foreign reference. In the Image File Wrapper of the file in PAIR, the document is labeled as Foreign Reference filed May 1, 2008.

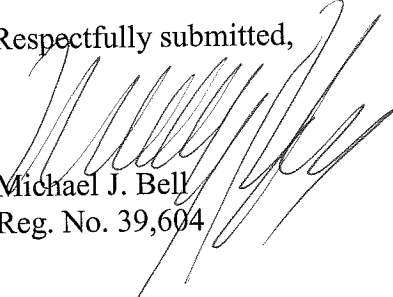
On May 1, 2008, a training session on electronic filing with a practice session was being held in Irvine, California. An Amendment was to be filed electronically in this case the next day, and the training was requested. The training included creating a PDF, attaching documents, and

validation with errors, and was provided by Bonita Huber, IP Prosecution Project and Training Manager at Howrey LLP. Inadvertently during this training the above described document, which was a random picked PDF, was inadvertently and incorrectly submitted in this application. It is accordingly requested that the document labeled Foreign Reference and the electronic receipt dated May 1, 2008, be expunged from this application. The EFS Tutorial is used for training purposes, but a hands-on practice was necessary to understand the steps for the trainee.

The Commissioner is authorized to charge this petition to Howrey LLP Deposit Account No. 08-3038 referencing 27.502.7120.000000. Should any additional fees be required for any reason relating to this petition, the Commissioner is authorized to deduct such fees from Deposit Account No. 08-3038.

Date: May 9, 2008

Respectfully submitted,


Michael J. Bell
Reg. No. 39,604

This is not an USPTO supplied IDS fillable form

2	Foreign Reference	M27Commonsignaldrawings. pdf	104137	no	3
			bb3f367610ad01492d081218781cfc0e d24e5e38		

Warnings:

Information:

Total Files Size (in bytes):

1199473

This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

New Applications Under 35 U.S.C. 111

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

New International Application Filed with the USPTO as a Receiving Office

If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

Electronic Acknowledgement Receipt

EFS ID:	3240074
Application Number:	09815589
International Application Number:	
Confirmation Number:	7446
Title of Invention:	Exchange trading of mutual funds or other portfolio basket products
First Named Inventor/Applicant Name:	Gary L. Gastineau
Customer Number:	22930
Filer:	Michael Bell/Huber Bonita
Filer Authorized By:	Michael Bell
Attorney Docket Number:	00322.0007.CNUS01
Receipt Date:	01-MAY-2008
Filing Date:	23-MAR-2001
Time Stamp:	14:47:48
Application Type:	Utility under 35 USC 111(a)

Payment information:

Submitted with Payment	no				
File Listing:					
Document Number	Document Description	File Name	File Size(Bytes) /Message Digest	Multi Part /.zip	Pages (if appl.)
1	Information Disclosure Statement (IDS) Filed	M26SPECCLSABS.pdf	1095336 f2ed529d1de46358f8d19d36192f1ae50b64aece	no	23
Warnings:					
Information:					